

TRANSMITTAL LETTER			Case No. 4672/310
Serial No. 10/713,126	Filing Date November 14, 2003	Examiner To Be Assigned	Group Art Unit To Be Assigned
Inventor(s) James Farrell et al.			
Title of Invention SYSTEM AND METHOD FOR CONTROLLING MARKETS DURING A STOP LOSS TRIGGER			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith are Transmittal Letter (in duplicate); Information Disclosure Statement; Form PTO 1449; Copies of References A3-A112; and postcard evidencing receipt of same.

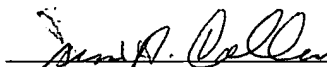
Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 43 =			x \$86 =	
First Presentation of Multiple Dep. Claim					+ \$145 =			+ \$290 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 James A. Collins
 Registration No. 43,557
 Attorney for Applicant
 Customer No. 00757 - Brinks Hofer Gilson Lione

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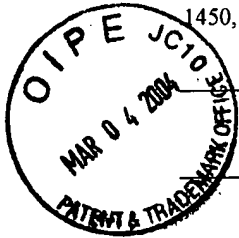
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, March 1, 2004.

Date: March 1, 2004

Signature: 

CERTIFICATE OF MAILING

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March 1, 2004

Date of Deposit

James A. Collins, Reg. No. 43, 557

Name of Applicant, Assignee or
Registered Representative

James A. Collins
Signature

March 1, 2004

Date of Signature

Case No.: 4672/310

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

James Farrell, et al.

Serial Number:

10/713,126

Filing Date:

November 14, 2003

Title:

SYSTEM AND METHOD FOR
CONTROLLING MARKETS
DURING A STOP LOSS
TRIGGER

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)
)
) Examiner: To Be Assigned

)
) Group Art Unit: To Be Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the

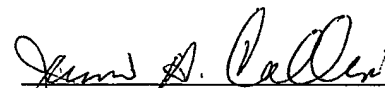
listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

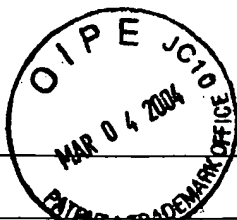
Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



James A. Collins
Registration No. 43,557
Attorney for Applicants

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FORM PTO-1449	SERIAL NO. 10/713,126	CASE NO. 310
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(use several sheets if necessary)	APPLICANT(S): James Farrell, et al.	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,903,201	Feb. 20, 1990	Wagner		
	A2	4,980,826	Dec. 25, 1990	Wagner		

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)					
	A3	"Code of Federal Regulations," Commodity and Securities Exchanges, April 1, 1983, Parts 1-239, pp. 1-322.				
	A4	Teweles and Bradley, "The Stock Market," Fourth Edition, 1982, John Wiley & Sons, Inc., pp. 136-179.				
	A5	Melamed, Leo, "Automation in the Futures Industry" Proceedings of a Conference Sponsored by Commodity Futures Trading Commission, June 15, 1977, Washington, D.C., pp. 1-2 and 273-283.				
	A6	Aitken and Berry, "Surveillance Literature . . . Market Surveillance at the Australian Stock Exchange: An Overview", 5 th Draft, July 1991, pp. 1-21.				
	A7	Barish and Siff, "Operational Gaming Simulation With Application To A Stock Market," Management Science, Journal of the Institute of Management Sciences, Volume 15, Number 10, June 1969, pp. B-530-B-541.				
	A8	Garman, Mark B., "A Description of an Experimental Securities Exchange" University of California, Berkeley, March 1975, revised October 1975, pp. 1-17 and Appendix pp. 1-3.				
	A9	"Automated Bonds System (ABS), User Manual", The New York Stock Exchange, Floor Operations Department, February 27, 1976, 75 pages.				
	A10	French and Roll, "Journal of Financial Economics the Arrival of Information and Reaction of Traders", Stock Return Variances Elsevier Science Publishers B.V. (North Holland), 1986, pp. 5-27.				
	A11	Blume, Siegel and Rottenberg, Revolution on Wall Street, The Rise and Decline of the New York Stock Exchange, "Chapter 11: Technology and the Marketplace", W.W. Norton & Company, New York and London, 1993, pp. 192-214.				
	A12	Letter to George A. Fitzsimmons, Securities and Exchange Commission, April 30, 1976, pp 1-4.				
	A13	Williams, Arlington W., "Computerized Double-Auction Markets: Some Initial Experimental Results," The Journal of Business, The Graduate School of Business of the University of Chicago, Volume, Number 3, Part 1, July 1980, pp. 235-258.				
	A14	Carrington, "Computer Linkups Letting Traders Start Up Securities Firms at Home," The Wall Street Journal, Wednesday, December 9, 1981, page 33.				
	A15	Bleiberg, Robert M., "Market Winner, Financial Futures Have Scored Remarkable Gains," Barron's National Business and Financial Weekly, Dow Jones & Company, Inc., November 30, 1981, page 7.				
	A16	Ettorre, Barbara, "Faces Behind The Figures", Forbes, August 30, 1982, page 139.				
	A17	Wall Street Letter, August 30, 1982, page 7.				
	A18	Wall Street Letter, August 2, 1982, page 3.				

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	A19	Dunne, Nancy, "Dawn of Electronic Age For Futures", London Financial Times, Wednesday, December 23, 1981, p. 1.
	A20	"INTEX Update for Members", November, 1982, p. 1.
	A21	Witcher, S. Karene, "New Exchange Plans Commodity Trading Through Computers: Intex Won't Have Noisy Floor When it Offers Contracts on Gold and Bonds", Update: The Wall Street Journal, Thursday, August 5, 1982, p. 1.
	A22	Gampetro, Tony, "Intex Unveils Trade Contracts", Journal of Commerce, Thursday, August 5, 1982, p. 1.
	A23	"Testimony of K. Richard B. Niehoff, President of Cincinnati Stock Exchange", Washington, D.C., September 24, 1979, pp. 1-10.
	A24	Peake, Mendelson, and Williams, "The National Book System, An Electrically Assisted Auction Market", (Together with letter of transmittal to the Securities and Exchange Commission, In response to Release No. 12159/March 2, 1976), April 30, 1976, 105 pages.
	A25	"A Feasibility Study for the Toronto Stock Exchange", June 12, 1970, pp. 1-165 and Appendix 1-14.
	A26	"Good-bye to the pits?, Intex may not put the commodity pits out of business, but lots of members have signed up -- just in case it catches on", Financial World, February 28, 1983, pp. 35-37.
	A27	Morris, John, "Contracts are Listed for Bermuda's Exchange", American Banker, October 20, 1981, 4 pages.
	A28	"INTEX, This new Exchange is the fastest and most accurate futures trading system anywhere--and it's world-wide. That's INTEX. Yes, that's INTEX", Bermuda, June 17, 1982, p. 1.
	A29	"INTEX Update for Members", September 15, 1982, pp. 1-2.
	A30	"The U.S. National Market System: Progress, Problems, and Issues", Remarks by William M. Batten, November 13, 1980, pp. 1-23.
	A31	"News Release, The New York Stock Exchange, NYSE Chairman Cites Progress On National Market System", September 24, 1979, pp. 1-4.
	A32	"Remarks by William M. Batten, Chairman, New York Stock Exchange, Inc. Before the Committee on Oversight and Investigations and the Subcommittee on Consumer Protection and Finance of the Committee on Interstate and Foreign Commerce of the House of Representatives", September 24, 1979, pp. 1-6.
	A33	"An Assessment of Progress Toward the Development of a National Market System", September 24, 1979, pp. 1-20.
	A34	"House Scrutinizing Pace of National Market System Formulation," Securities Industry Association, Washington Report, October 1, 1979, p. 1.
	A35	Melton, William C., "Corporate Equities and the National Market System," Federal Reserve Bank of New York, Volume 3, No. 4, 1978-79, pp. 13-25.
	A36	"Memo to All NASD Members, regarding Commencement of Trade Reporting in National Market System Tier 1 Securities", February 12, 1982, 10 pages.
	A37	"First Annual National Market System Conference", Plaza Hotel New York, June 15-17, 1978, pp. 1-90.
	A38	Fuller and Simon, "The National Market System In Perspective: A Selective Outline of Significant Events", May 15, 1978, 56 pages.

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✓	A39	Melton, William C., "Corporate Equities and the National Market System", FRBNY Quarterly Review/Winter 1978-79, pp. 13-25.
✓	A40	"The Battle for a National Market System", Wall Street Journal, Tuesday, June 1, 1982, p. 1.
✓	A41	Williams, Harold M., "The National Market System in Perspective", December 1, 1977, pp. 1-22.
	A42	"Instructions for Trade Reporting and Entry of Size in the Nasdaq/National Market System", February, 1982, 18 pages.
✓	A43	"A Report of Progress on National Market System and Related Developments at the New York Stock Exchange", November 20, 1978, 16 pages.
✓	A44	Memo to NASDAQ Level II and Level III Subscribers from John H. Hodges, Jr. regarding Commencement of Trade Reporting in NASDAQ National Market System Tier 1 Securities, dated February 10, 1982, 2 pages.
✓	A45	Williams, Harold M., "The Securities Industry and the National Market System: A Current Perspective", News, Securities and Exchange Commission, November 30, 1978, 29 pages.
✓	A46	Securities Week, March 19, 1979, 2 pages.
✓	A47	Williams, Harold M., "The Securities Industry Entering the Eighties: An Economic Overview," News, Securities and Exchange Commission, November 29, 1979, 31 pages.
✓	A48	Williams, Harold M., "The National Market System: An Update", News, Securities and Exchange Commission, October 5, 1980, 45 pages.
✓	A49	"Why The Big Players Want A Piece of Instinet", Money & Markets <i>Fortune</i> , August 19, 1985, p. 1.
✓	A50	Sporleder, Thomas L. and Davis, Ernest E., "Cattlex, A Computerized Cash and Contract Market for Feeder and Stocker Cattle, Operating Procedures and Trading Techniques", Technical Report No. 813, April, 1981, 40 pages.
✓	A51	Lorie, James H., "Conjectures on the Securities Industry in 1982", Chapter II, pp. 29-39.
✓	A52	Merrill Lynch, Pierce, Fenner & Smith Incorporated, "Proposal For A National Market System" October 16, 1975, pp. 1-28.
✓	A53	Peake, Junius W., "Computers, Competition and Monopoly", March 25-26, 1977, 10 pages.
✓	A54	"SEC Clears Cincinnati Exchange to Offer First All-Electronic Stock Trading in U.S.", The Wall Street Journal, Tuesday, April 11, 1978, p. 1.
✓	A55	Peake, Junius W., "The Regulatory Role in Systems Development", March 25-26, 1977, p. 1-9.
✓	A56	Peake, Junius W., "Order Flow, Market Making and The National Market System", March 15, 1978, p. 1-7.
✓	A57	Peake, J W., "The Trader and Automated Execution: Where Is It Leading, and Why?", 1983, p. 1-6.
✓	A58	Rees, John, "An Exclusive Interview with the Governor of the Pacific Stock Exchange", The Review of the News, December 19, 1979, pp. 31-46.
✓	A59	Peake, Junius W., "Treasury Marketable Securities Systems", June 14, 1983, pp. 1-39.
✓	A60	Peake, Junius W., "The Investor, the Institution and the National Market System", January 25, 1978, pp. 1-11.
✓	A61	NASD Recommendations to the SEC on Qualifications for Securities in the National Market System, to Honorable Harold M. Williams from Gordon S. Macklin, June 7, 1978, pages 8-12.
✓	A62	Peake, Junius W., "The "Crowd" and the National Market System", June 14, 1978, 21 pages.

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..	A63	"International Commodities Clearing House Limited, General Regulations For Future Delivery Business and Byelaws for Options", September 6, 1982, 4 pages.
✓	A64	Fuller, James W., et al., "Outlook for the U.S. Securities Industry 1981", Volume II, Final Report, June 1977, Chapters 1-11, 414 pages.
✓	A65	Zyncon Corporation, "Communications Study for World Energy Exchange", July 26, 1983, 21 pages.
✓	A66	Letter to Mr. Andrew M. Klein of the Securities and Exchange Commission from Weeden & Co, Donald E. Weeden, October 20, 1978, 10 pages.
✓	A67	Hutchinson, A.M., "Candat Displays For Cats Terminals", December 5, 1974, 6 pages.
✓	A68	"National Securities Trading System Review for Securities and Exchange Commission", April 15, 1982, pp. 1-21.
✓	A69	Cleland, H., "Draft Appendix D: Outline of Method and Criteria for Evaluation of Cats as a Mechanism to Replace the TSE Trading Floor-Possible Schedule for Implementation", June 3, 1976, Part I and Part II, 10 pages.
✓	A70	McAvoy, B.J., "Cats Pilot, General Outline for Testing CATS", February 24, 1976, 3 pages.
✓	A71	McAvoy, B.J., "Status of Cats", May 31, 1976, 2 pages.
✓	A72	"Cats Project Applications Today: Trader Training, Simulated Trading, Live: Stock Trading, Evaluation: Plan and Timing" The Toronto Stock Exchange, March 2, 1976, 4 pages.
✓	A73	Letter to Mr. George A. Fitzsimmons, Secretary, Securities and Exchange Commission, from K. Richard B. Niehoff, July 24, 1979, 6 pages.
✓	A74	Letter to Martin L. Budd, Security and Exchange Commission, from Peake, Mendelson and Williams, November 4, 1976, 5 pages.
✓	A75	"NYSE-IBM Study Years Ago Urged Development of Electronic Trading Arena", Securities Week, November 22, 1976, 2 pages.
✓	A76	Ardron, J.M., "Current Status on CATS", April 1, 1977, pp. 1-3.
✓	A77	Ardron, M., "CATS Status Overview", March 17, 1977, pp. 1-5.
✓	A78	Maron, J., "CATS Activities", December 2, 1977, pp. 1-5.
✓	A79	Letter to Harold M. Williams of Securities and Exchange Commission, from MSE Richard B. Walbert, regarding File Nos. S7-735 and S7-759, November 24, 1978, pp 1-66.
✓	A80	Maron, J., "CATS - Special Terms Market", October 26, 1976, pp. 1-2.
✓	A81	McAvoy, B.J., "Proposal for Training CATS Users", February 23, 1976, pp. 1-9.
✓	A82	Letter to Mr. Junius W. Peake from Dan W. Schneider, United States Department of Justice, March 22, 1979, 4 pages.
✓	A83	Letter to Mr. George A. Fitzsimmons of Securities and Exchange Commission, from Securities Industry Association, regarding Development of Order Routing and Market Linage Systems, August 4, 1978, pp. 1-20.
✓	A84	Ardon, et al., "A Planning Report for the Toronto Stock Exchange", June 1969, 44 pages.
✓	A85	"Report to Members-TSE Project to Investigate Computer Assisted Trading", The Toronto Stock Exchange, Notice to Members No. 1827, February 14, 1979, 11 pages.
✓	A86	Report to Mr. K. Richard B. Niehoff from Deloitte Haskins and Sells, November 14, 1978, pp. 1-32.
✓	A87	Letter to John S. R. Shad of Securities and Exchange Commission, from the Cincinnati Stock Exchange, December 31, 1981, pp. 1-3.

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~	A88	"Cats Service and Information Centre," The Toronto Stock Exchange, CATS Project Notice 79-3, March 15, 1979, 175 pages.
.	A89	Williams, Harold M., "Progress Toward The Development of a National Market System", 1979, 549 pages.
.	A90	Memo to Mr. J.R. Kimber and Mr. W.L. Somerville, from Mr. M. Ardron, regarding Planning Study for Computer-Assisted Trading (1), August 26, 1969, 4 pages.
✓	A91	Wall Street Letter, November 7, 1983, 1 page.
,	A92	Update, INTEX Press Information, September 20, 1982, 3 pages.
.	A93	Brown, Sidney, "Electronic Commodities Market to Operate Offshore", DOLLAR, The International Journal of American Investments, May 1982, 1 page.
,	A94	O'Toole, Edward T., "Surge in Financial Futures Is Only the Beginning," DOLLAR, The International Journal of American Investments, May 1982, 4 pages
{	A95	"Want to Play the Market? Try Index Futures", DOLLAR, The International Journal of American Investments, May 1982, 1 page.
.	A96	"A Glossary of Financial Futures Terms", DOLLAR, The International Journal of American Investments, May 1982, 1 page.
!	A97	Mendelson, Morris, "From Buttonwood to Satellite Via Wall Street", December 1977, pp. 1-33.
.	A98	Commodity Futures Law Reporters, Futures Trading Act of 1982, Number 175, June 7, 1982, 248 pages.
.	A99	Letter to Mr. Martin L. Budd of National Market Advisory Board, from Peake, Mendelson and Williams, August 20, 1976, pp. 1-6.
.	A100	"Automated Bond System", The New York Stock Exchange, Automated Bond System, Securities Week, October 1, 1978, 4 pages.
,	A101	"NYSE-IBM Study Years Ago Urged Development of Electronic Trading Arena", Security Week, November 22, 1976, pp. 3-4.
.	A102	"Securities Pacific Links With Intex to Automatic Money Markets", Securities Week, August 2, 1982, 1 page.
.	A103	"Automated Trading Concept", The Banker, April 1982, 1 page.
.	A104	"Regulations, The International Futures Exchange (Bermuda) Ltd.", January 15, 1983, 87 pages.
,	A105	Batten, William M., "The ABC's of the ABS", November 22, 1977, pp. 1-15.
.	A106	Appleby, Spurling & Kempe, "Bye-Laws of the International Futures Exchange (Bermuda) Limited", July 8, 1981, 54 pages.
,	A107	Morris, John, "Bermuda Says Yes to Futures Trading", American Banker, Wednesday, July 8, 1981, 1 page.
.	A108	"Statement of the American Stock Exchange, Inc. Before the Joint Hearings of the House Subcommittee on Oversight and Investigation and the House Subcommittee on Consumer Protection and Finance on the Development of a National Market System", September 24, 1979, 13 pages.
.	A109	"The Emerging National Market System", February 7, 1977, 2 pages.
.	A110	"Interest rate products: Eurodollar bundles", <i>Chicago Mercantile Exchange</i> , http://www.cme.com/products/interest_rate/products_interestrate_ed_bundles.cfm , printed on 2/9/03, pp.1-3.

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	A111	Excerpt from CME's 2002 Rulebook, Chapter 5 Floor Privileges – Trading Qualifications and Practices, printed January 2, 2003, pp. 10-21.
	A112	Gampetro, Tony, INTEX Gearing up for Autumn Opening, Financial Futures Focus, Commodities, p. 7A

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